

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

51b/6

IN RE:

BRENDA K. PRESTON
XXX-XX-2305
951 VAN ZANDT STREET
PARIS, TX 75460

DEBTOR

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CASE NO. 22-41839-R
CHAPTER 13

ORDER DENYING CONFIRMATION OF CHAPTER 13 PLAN, SETTING 30-DAY DISMISSAL DEADLINE FOR FILING
NEW CHAPTER 13 PLAN, AND SETTING FINAL DISMISSAL DEADLINE PERTAINING TO PLAN CONFIRMATION

ON THIS DATE, the Court considered the Confirmation of the Chapter 13 Plan proposed by the Debtor in the above captioned case. For the reasons set forth below, the Confirmation of the Chapter 13 Plan should be denied. In light of the failure of the Debtor to confirm a Chapter 13 Plan, and in order to insure the prompt administration of this case and to prevent any abuse of process, good cause exists for the entry of the following Order:

IT IS THEREFORE ORDERED that Confirmation of the Chapter 13 Plan proposed by the Debtor is DENIED without prejudice to the rights of the Debtor to file a new Chapter 13 Plan.

IT IS FURTHER ORDERED that the Debtor file a new Chapter 13 Plan within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that, in the event the Debtor fails to file a new Chapter 13 Plan within thirty (30) days of the date of this Order, absent a further order of the Court extending such deadline for cause shown, or in the event the Debtor thereafter fails to confirm such new Chapter 13 Plan upon consideration by the Court under its normal procedures, this Chapter 13 case shall be dismissed, pursuant to §349(a) of the Bankruptcy Code, without further notice or hearing and *with prejudice* to the rights of the Debtor to file a subsequent petition under any of the provisions of Title 11, United States Bankruptcy Code, for a period of one hundred twenty (120) days from the entry of the order of dismissal, and the Chapter 13 Trustee shall be authorized, following the payment of any allowed administrative expenses, to remit any sums remaining in her possession to the Debtor.

Signed on 3/23/2023

Brenda T. Rhoades ST
HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE

APPROVED AS TO FORM:

/s/ Diane Barron
DIANE S BARRON
Attorney for Debtor

REASONS FOR DENIAL:

☐ Behind on plan payments
☒ Amended plan to be filed
☐ Other: _____